

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Wilhelm, applicant's representative, on Wednesday, December 20, 2006.

The application has been amended as follows:

In the claims:

In claim 85, line 9, delete -- and -- after "aperture body."

In claim 85, line 11, add -- and -- after "spinal plate"


In claim 85, line 24, change "a channel" to -- the channel --.

MJW 02/08/07

Election/Restrictions

Claim 85-90, previously withdrawn from consideration as a result of a restriction requirement, require all the limitations of an allowable claim, due to applicant's amendments to independent claims 63, 84 and 85. Pursuant to the procedures set forth in MPEP § 821.04(a), **the restriction requirement between inventions I and II, i.e. claims 63-84 and 85-90, respectively, as set forth in the Office action mailed on March 21, 2006, is hereby withdrawn** and claims 85-90 are hereby rejoined and fully examined for patentability under 37 CFR 1.104. In view of the withdrawal of the restriction requirement, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a